

REMARKS

By the present amendment, claim 10 has been amended to replace the term “polarizing layer” by “polarizing film”, the term “one or more polymer material layers” by “at least one polymer material layer”, and the clause “the migration preventing layer is disposed directly on the absorption type polarizing layer” by “the at least one polymer material layer is a removable separation layer”. Further, claim 18 has been amended to also replace the term “polarizing layer” by “polarizing film”, and claim 20 has been cancelled.

Support for the amendments is found in particular in cancelled claim 20. It is submitted that the amendments do not raise any new issues and should be entered.

Claims 1-16, 18-19, and 21-23 are pending in the present application. Independent claims 1, 9 and 10, claims 2 and 21 dependent on claim 1, claim 23 dependent on claim 9, and claims 11-14 and 18-19 dependent on claim 10, are directed to a polarizing member. Claim 3 dependent on claim 1, and claims 4-6 and 22 dependent on claim 3, are directed to an optical member. Claims 7 and 8 dependent on claims 1 and 3, respectively, and claims 15-16 dependent on claim 7, are directed to a liquid crystal display.

In the Office Action, claims 10-14 and 18-20 are rejected under 35 U.S.C. 112, first paragraph, for lack of written description. It is alleged in the Office Action that the present specification does not disclose a migration preventing layer disposed directly on the absorption type polarizing layer, because the migration preventing layer is separated from the polarizing layer by an adhesive layer.

The clause reciting “disposed directly” has been deleted in claim 10 by the present amendment. Accordingly, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 18 and 23 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged in the Office Action that claim 18 is unclear since it recites an intermediary adhesive layer but depends on claim 10 which recites “disposed directly”, and that “the polarizing layer” in claim 18 and “the polarizing film” in claim 23 lack antecedent basis.

It is noted that the Office Action sets forth an indefiniteness rejection of claim 18 only, but this is assumed to be a typographical error since claim 23 is discussed and objected to in the body of the rejection.

Claim 10 has now been amended to delete the clause reciting “disposed directly” and claims 10 and 18 have been amended to recite “polarizing film”. Thus, antecedent basis for claims 18 and 23 is clearly found in the “absorption type polarizing layer” recited in claim 10 and the “absorption type polarizing film” recited in claim 9. It is noted that similar antecedent basis is found in claim 1 for “the polarizing film” recited in claim 22, which is not included in this rejection.

In view of the above, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 10 and 12-14 are rejected under 35 U.S.C. 102(b) as anticipated by US 5,048,933 to Asano (Asano), claim 11 is rejected under 35 U.S.C. 103(a) as obvious over Asano in view of US 6,153,272 to Kim et al. (Kim) and claim 20 is rejected under 35 U.S.C. 103(a) as obvious over Asano in view of US 5,784,141 to Chen et al. (Chen).

It is noted that the Office Action sets forth a section 102(b) anticipation rejection of claim 11 but this is assumed to be a typographical error since plural documents are cited in the rejection of claim 11.

Reconsideration and withdrawal of the rejections is respectfully requested. Claim 10 has

been amended to incorporate the recitation of claim 20 that the at least one polymer material layer is a removable separation layer. None of the cited references discloses such a removable separation layer. In particular, Chen discloses alignment layers as noted in the Office Action, but these alignments 14 are clearly not removable (see Chen at col. 6, lines 8-19 and Figs 1-5). Chen states that one or two alignment layers can be provided, but is completely silent as to removing an alignment layer from its display, which, in any case, would destroy the display of Chen.

In contrast, in the polarizing member of the presently claimed invention, at least one polymer material layer which is a removable separation layer is provided on one or both of opposite surfaces of the absorption type polarizing film, and a migration preventing layer is disposed between said absorption type polarizing film and each of said at least one polymer material layer, as recited in present claim 10. An advantage of this construction is that the migration preventing layer can be disposed between the removable separation layer and the polarizing film, in particular when an adhesive layer is applied to the polarizing plate, to prevent contamination of the adhesive layer. This feature and its advantages are not taught or suggested in Chen or any of the other cited references, and therefore, present claims 10-14 and 18-19 are not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

Further, Applicants acknowledge the indication in the Office Action that claims 1-9, 15-16 and 21 are allowed, and claim 23 is considered allowable except for the lack of antecedent basis objection addressed above. Accordingly, it is submitted that all pending claims 1-16, 18-19, and 21-23 are now immediately allowable.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No. 020527
1250 Connecticut Avenue NW Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
Customer No.: 38834
NES:rep